

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

22-11512 BKMFR03  
BROCK & SCOTT, PLLC  
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Mount Laurel, NJ 08054  
(844) 856-6646  
Attorneys for Freedom Mortgage Corporation

In Re:

LASHONDA MCBURROUGHS



Order Filed on December 20, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No: 20-22696-VFP

Hearing Date:

Judge: VINCENT F.  
PAPALIA

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY  
AND/OR MOTION TO DISMISS  
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

**DATED: December 20, 2022**

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".  
\_\_\_\_\_  
Honorable Vincent F. Papalia  
United States Bankruptcy Judge

Applicant:	<u>Freedom Mortgage Corporation</u>
Applicant's Counsel:	<u>Matthew Fissel, Esquire, Brock &amp; Scott, PLLC</u>
Debtor(s)' Counsel:	<u>Nicholas Fitzgerald, Esquire Fitzgerald &amp; Associates</u>
Property Involved ("Collateral"):	<u>15 Liberty Street, Newton, NJ 07860</u>

Relief sought: ☒ Motion for relief from the automatic stay

☐ Motion to dismiss

☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor(s)' future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 2 months, from November 1, 2022 to December 1, 2022.

☒ The Debtor is overdue for 2 payments at \$2,123.67 per month.

☐ The Debtor(s) is assessed for \_\_\_\_\_ late charges at \$ \_\_\_\_\_ per month.

☐ Applicant acknowledges receipt of funds in the amount of \$ \_\_\_\_\_ received after the motion was filed.

☒ There is currently \$3.24 being held in Debtors' suspense account

**Total Arrearages Due: \$4,244.10**

2. Debtor must cure all post-petition arrearages, as follows:

☐ Immediate payment shall be made in the amount of \$ \_\_\_\_\_. Payment shall be made no later than \_\_\_\_\_.

☒ Beginning on January 1, 2023, regular monthly mortgage payments in the amount of \$2,123.67 shall resume.

☒ Beginning on January 1, 2023, additional monthly cure payments shall be made in the amount of \$707.35 for 6 months.

☐ The amount of \$ \_\_\_\_\_ shall be capitalized in the debtor(s)' Chapter 13 plan. Debtor(s) shall file a Modified Plan within 15 days of entry of this Order.

3. Payments to the Applicant shall be made to the following address(es):

☐ Immediate payment:

\_\_\_\_\_  
\_\_\_\_\_

☒ Regular monthly payment:

\_\_\_\_\_  
Freedom Mortgage / Attn: Cash Processing,  
10500 Kincaid Drive, Fishers, IN 46037  
\_\_\_\_\_

☒ Monthly cure payment:

\_\_\_\_\_  
Freedom Mortgage / Attn: Cash Processing,  
10500 Kincaid Drive, Fishers, IN 46037  
\_\_\_\_\_  
\_\_\_\_\_

4. In the event of Default:

☒ If the Debtor fails to make any regular monthly payment or any additional monthly cure payment within thirty (30) days of the date the payment becomes due, then the Applicant may obtain an Order vacating, terminating, and/or annulling the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ If the bankruptcy case is dismissed or converted, this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$500.00, and costs of \$188.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Applicant within \_\_\_\_\_ days.

☐ Attorneys' fees are not awarded.

rev.8/1/15

In re:  
Lashonda McBurroughs  
Debtor

Case No. 20-22696-VFP  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Dec 20, 2022

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 22, 2022:

Recip ID	Recipient Name and Address
db	+ Lashonda McBurroughs, 15 Liberty Street, Newton, NJ 07860-1724

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BY PASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 22, 2022

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 20, 2022 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor RoundPoint Mortgage Servicing Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
James J. Fitzpatrick	on behalf of Debtor Lashonda McBurroughs nickfitz.law@gmail.com nadiafinacial@gmail.com;jfitzpatrick@fitzgeraldcrouchlaw.com;fitz2law@gmail.com
Marie-Ann Greenberg	magecf@magtrustee.com
Matthew K. Fissel	on behalf of Creditor Freedom Mortgage Corporation wbecf@brockandscott.com matthew.fissel@brockandscott.com
Nicholas Fitzgerald	on behalf of Debtor Lashonda McBurroughs fitz2law@gmail.com
U.S. Trustee	

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Dec 20, 2022

Form ID: pdf903

Total Noticed: 1

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6